

## MINUTES

### COMMITTEE OF THE WHOLE

October 2, 2013

A meeting of the Committee of the Whole of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Jay Furfaro, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, October 2, 2013, at 9:20 a.m., after which the following members answered the call of the roll:

Honorable Gary L. Hooser  
Honorable Ross Kagawa  
Honorable Nadine K. Nakamura  
Honorable JoAnn A. Yukimura  
Honorable Jay Furfaro

Excused: Honorable Tim Bynum  
Honorable Mel Rapozo

#### EXECUTIVE SESSION:

ES-672 Pursuant to Hawai'i Revised Statutes Sections 92-4, 92-5(a)(4), and Kaua'i County Charter Section 3.07(E), on behalf of the Council, the Office of the County Attorney requests an Executive Session with the Council to provide the Council with a briefing regarding the impact of the Koontz vs. St. Johns River Water Management District on the County's ability to impose exactions on developers and issues relating to the County's liability with respect to public access easements, and related matters. This briefing and consultation involves the consideration of the powers, duties, privileges, immunities and/or liabilities of the Council and the County as they relate to this agenda item.

Chair Furfaro: We have had a presentation from the County Attorney requesting us to go into Executive Session at present. I will ask for a motion as it has been my practice, with a roll call vote to go into session. May I have a motion?

Ms. Yukimura moved to convene in Executive Session for ES-672, seconded by Ms. Nakamura.

Chair Furfaro: Any discussion members? If not, may I ask for a roll call vote to go into Executive Session?

The motion to convene in Executive Session for ES-672 was then put, and was carried by the following vote:

FOR EXECUTIVE SESSION:	Hooser, Kagawa, Nakamura, Yukimura, Furfaro	TOTAL – 5,
AGAINST EXECUTIVE SESSION:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Bynum, Rapozo	TOTAL – 2,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Chair Furfaro: Now, to the audience, I am going to ask you if you can leave for our purpose of going into Executive Session. I need to make sure that if you have any camera devices, they can stay there, but I want to make sure that you have unplugged any recording devices. In five (5) minutes we will go into our Executive Session. Thank you.

There being no objections, the Committee recessed at 9:21 a.m.

There being no objections, the Committee was called back to order at 3:13 p.m., and proceeded as follows:

Bill No. 2497      A BILL FOR AN ORDINANCE TO AMEND THE KAUAI COUNTY CODE 1987, AS AMENDED, BY ADDING A NEW ARTICLE TO CHAPTER 4, RELATING TO THE REGISTRATION AND REGULATION OF LOBBYISTS  
[This item was deferred to November 13, 2013.]

Chair Furfaro: I do want to let you know that I have received a request from the Ethics Board to give them more time to study the item dealing with the parameters set for the Lobbyist. Also in that correspondence, they chatted with me the fact the Bill currently reads “Effective immediately when it is passed.” They would also need, based on some of the expectations of them, at least ninety (90) days to implement that. But for right now, we are asking for a deferral and I would like to honor that. May I have a motion to defer?

Ms. Yukimura moved to defer Bill No. 2497.

Chair Furfaro: I am just being reminded that they asked for it to be specifically for one month, date specific which would bring it to November 13, 2013. Thank you trusty staff for being right on top of it.

Upon motion duly made by Ms. Yukimura, seconded by Mr. Kagawa, and carried by a vote of 5:0:2 (Councilmember Bynum and Councilmember Rapozo were excused), Bill No. 2497 was deferred to November 13, 2013.

**CR-COW 2013-18:** on Resolution No. 2013-67 – RESOLUTION AMENDING RESOLUTION NO. 2013-02 RELATING TO THE RULES OF THE COUNCIL OF THE COUNTY OF KAUAI FOR THE ORGANIZATION OF COMMITTEES AND THE TRANSACTION OF BUSINESS  
**[Approved as Amended.]**

There being no further business, the meeting was adjourned at 3:38 p.m.

Respectfully submitted,



Allison S. Arakaki  
Council Services Assistant I

APPROVED at the Committee Meeting held on October 16, 2013:



JAY FURFARO  
Chair, COW